

**BATEMAN HARDEN**

ATTORNEYS AT LAW

300 EAST PARK AVENUE  
TALLAHASSEE, FLORIDA 32301

(850) 222-1020

FAX: (850) 222-1521

CERTAIN ATTORNEYS ADMITTED IN  
GEORGIA AND TEXAS

04 OCT 21 PM 1:31

COUNTY CLERK'S OFFICE

EMAIL ADDRESS  
fbateman@batemanharden.comCLIENT/MATTER NUMBER  
079779-0102

October 18, 2004

Herbert W. A. Thiele, Esquire  
County Attorney  
301 South Monroe Street, Room 202  
Tallahassee, Florida 32301

Re: *Maloy v. FACT* – Request of Payment of Attorneys' Fees in  
Defense of Allegations Against Commissioner Rudy Maloy.

Dear Herb:

Thank you for your letter of September 27, 2004, responding to Commissioner Maloy's request for payment of attorneys' fees incurred by him in defense of allegations by Ms. Ophelia Morris. We have reviewed policies 03-02 dated June 24, 2003, and 93-50, dated November 24, 1993. We wish to address the applicability of such policies to Commissioner Maloy's request.

Initially, we note that Commissioner Maloy incurred **all** of the attorneys' fees in defense of the Morris matter long before Policy 03-02 was adopted. The county's policy to reimburse of attorneys' fees for an employee or commissioner who prevails in actions or investigations "that arise out of and in connection with their scope of county employment or county function and which service a public purpose" creates a substantive right in such employees or commissioners. As county attorney, you well know that it is a standard rule of law that legislative acts that alter substantive rights can only operate prospectively. Here, the application of Policy 03-02 would impair Commissioner Maloy's substantive rights to reimbursement.

Regarding the procedural requirements of the policy, sheer logic dictates that it was impossible for Commissioner Maloy or Bateman Harden (and the previous firm of the individual attorney) as his counsel to comply with non-existent requirements at the time of the rendition of legal services. For example, Policy 93-50 contained no requirement to report to the county attorney when fees surpassed \$5,000 and provide justification for "why the threshold amount should be exceeded." However, since both policies require the provision of certain information, we are attaching an information sheet addressing this information requirement under Policy 93-50.

In light of the foregoing, we again ask you take whatever action you need to take to place this request before the county commission. On this point, we note Policy 93-50

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delegates to the County Attorney authority to make such payment, "subject to review by the Board if the request is denied by the County Attorney." Based on this history of this matter, I fully expect you to deny the request, and will therefore have it submitted to the Board under the appropriate policy.

Finally, this request is necessitated only by the conduct of the county's "insurer's", Florida Association of Counties Trust's ("FACT"), refusal to indemnify Commissioner Maloy. More disingenuous is FACT's refusal to appoint a neutral arbitrator so Commissioner Maloy can have an arbitral forum decide his claim. Both county policies require the county attorney to communicate with the county's "insurance" providers. Accordingly, we request pursuant to Chapter 119, Florida Statutes all communications between the county and FACT and/or any of its agents (in the broad legal sense) regarding reimbursing or indemnifying Commissioner Maloy for legal fees in the Ophelia Morris matter. We expect good faith compliance with this request as the county was a party to the same settlement with Ms. Morris.

Should there be any questions about Commissioner Maloy's position, please contact me.

Very Truly Yours

**BATEMAN HARDEN**

Frederick L. Bateman, Jr.

FLBjr/cs

Enclosure

cc. Honorable Rudy Maloy, County Commissioner

**INFORMATION SHEET PURSUANT TO  
COUNTY POLICY 93-50, SECTION 4**

**ON BEHALF COMMISSIONER RUDY MALOY**

October 18, 2004

- a. Commissioner Rudy Maloy  
c/o Board of County Commissioners  
Leon County Courthouse  
Tallahassee, Florida 32301
- b. Florida Human Relations Commission (See Attached).  
  
United States EEOC (See Attached).
- c. FCHR No. 21-00735  
  
EEOC Charge No. 15DA10137  
  
Civil damages litigation threatened and matter resolved prior to filing suit  
against Commissioner Maloy and Leon County Board of Commissioners
- d. See Attached.
- E July 21, 2000.
- f. County Commissioner.
- g. In his role as county commissioner, Commissioner Maloy was charged with  
having in improper relationship with Ms. Ophelia Morris. The charges were  
never substantiated. A settlement was reached between Mrs. Morris and the  
Leon County and its Board of Commissioners and Commissioner Maloy. The  
settlement with Ms. Morris terminated any claims that she had or could make  
against Commissioner Maloy. Such settlement successfully resolved the claims  
against Leon County and its Board of Commissioners and Commissioner Maloy.
- h. Bateman Harden, P.A.  
c/o Frederick L. Bateman, Jr.  
300 East Park Avenue  
Tallahassee, Florida 32301

The services were provided by Mr. Bateman while employed with Foley &  
Lardner law firm. The interests in fees for representing Commissioner Maloy  
have been transferred to Bateman Harden.

- i. Commissioner Maloy retained attorney Frederick L. Bateman, Jr., then employed with Foley & Lardner law firm. Commissioner Maloy agreed to pay the reasonable and customary fees of Mr. Bateman as a partner of Foley & Lardner.

Commissioner Maloy has not paid any amount toward the fees incurred for the provision of legal services by Foley & Lardner.

The amount owed by Commissioner Maloy is \$43,085.00 (see attached billing statement from Foley & Lardner).

- j. Upon request, Bateman Harden will provide any non-privileged information reasonably required by the County Attorney or the Leon County Board of Commissioners.



## State of Florida

## Florida Commission on Human Relations

An Equal Opportunity Employer • Affirmative Action Employer



Jon Bush  
Governor

## COMMISSIONERS

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Orlando

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Arishdas Sasa  
Miami

Chris Walker  
Tallahassee

Orick Daniel  
Executive Director

NOTICE OF FILING OF  
COMPLAINT OF DISCRIMINATION

January 03, 2001

County Of Leon, Florida  
Herbert Theile, Esquire  
County Attorney  
Leon County Courthouse  
301 South Monroe St. 2nd Floor  
Tallahassee, FL 32301

Dear Sir or Madam:

Re: Morris v. County Of Leon, Florida  
FCHR No. 21-00735

YOU ARE HEREBY NOTICED that the enclosed Charge of Employment Discrimination has been filed against your company or organization.

The charge was filed under one or more of the following laws: (a) The Florida Civil Rights Act of 1992, as amended (Chapter 760, Florida Statutes); (b) Title VII of the Civil Rights Act of 1964, as amended; (c) The Age Discrimination in Employment Act (ADEA); and/or (d) The Americans with Disabilities Act (ADA).

You are advised that the law prohibits retaliation against any person for making a complaint, testifying, assisting or participating in an investigation, proceeding, or hearing on an alleged unlawful employment practice.

In connection with the investigation of the above-referenced complaint of discrimination, you are invited to attend and participate in a Mediation Conference in an effort to expeditiously and amicably resolve this dispute. The mediation process is offered as an alternative to investigation of this complaint. FCHR's mediation process is designed to allow the parties to resolve this matter in a voluntary and informal process at the earliest stage possible. The mediation process is described in detail in the enclosed Fact Sheet. It is our experience that mediation results in reduced costs, avoids protracted investigatory procedures, and leads to early resolutions in a non-adversarial proceeding.

If you are agreeable to participating in a Mediation Conference, please call the FCHR Mediation Coordinator, at 850/488-7082, no later than ten (10) days of your receipt of this letter. At the time of your call, please be prepared to furnish a telephone number where you can be reached between the hours of 8:00 a.m. and 5:00 p.m., Monday through Friday.

RECEIVED  
01 JAN -5 AM 11:23  
FCHR  
TALLAHASSEE OFFICE

04 OCT 21 PM 1:32  
FCHR  
TALLAHASSEE OFFICE

Notice of Filing, FCHR No. 2100735  
Page Two

In the event you decide not to participate in the mediation process, pursuant to the provisions of Commission Rule 60Y-5.003, Florida Administrative Code, please furnish in writing the information and documents requested on the enclosed list. Such information must be furnished within twenty-one (21) days of the receipt of this letter. In the event you have received this letter and you are not the authorized representative for this company or organization, please forward this correspondence to such person immediately. Also, the enclosed "Affidavit to Authenticate Documents" should be completed and returned along with the information and documents requested.

The Document Request has been tailored to obtain relevant and necessary information to evaluate the factual allegations made in the complaint of discrimination. You are advised that failure to provide the requested information may result in either adverse findings or the Commission may invoke its subpoena and enforcement powers. You are therefore urged to respond completely to each item of this Request for Information. YOU ARE ADVISED THAT THIS IS AN INITIAL INVESTIGATIVE INQUIRY AND ADDITIONAL INFORMATION MAY BE REQUIRED IN THE FUTURE.

Sincerely,



James Herring  
Mediation Manager

JH/lr

Enclosure

CHARGE OF DISCRIMINATION		FCHR No. 2100735	
Name (Indicate Mr., Ms. or Mrs.) Ophelia Mignon Morris		Social Security #: 260-23-8410	Date of Birth 10/9/63
Street Address: 420 Merlin Way		Home Telephone Number (area code) (850) 219-1367	
City, State, and Zip Code Tallahassee, Florida 32301		Work (if possible to call you there) NA	
List the employer, labor organization, employment agency, apprenticeship committee, government agency, or other person who discriminated against you.			
Employer Name Leon County Board of County Commissioners	No. of Employees 25 +	Telephone No. (area code) (850) 922-4710	
Street Address Leon County Courthouse	City, State and Zip Code Tallahassee, Florida 32301	County Leon	
CAUSE OF DISCRIMINATION BASED ON (Check appropriate box(es)) <input type="checkbox"/> RACE <input type="checkbox"/> COLOR <input checked="" type="checkbox"/> SEX <input type="checkbox"/> RELIGION <input type="checkbox"/> DISABILITY <input type="checkbox"/> NATIONAL ORIGIN <input type="checkbox"/> AGE <input type="checkbox"/> MARITAL STATUS <input checked="" type="checkbox"/> RETALIATION			Date Most Recent or Continuing Discrimination Took Place (month, day, year) July 21, 2000

THE PARTICULARS ARE (if additional space is needed, attach extra sheet(s))

Background: Plaintiff was originally employed with Defendant on December 20, 1999. During the course of her employment with Defendant, Plaintiff was the victim of *quid pro quo* and hostile work environment sexual harassment by her supervisor, a county commissioner. Plaintiff was forced to have a sexual relationship with this commissioner and other terms and conditions of her employment were adversely affected by his sexual demands. Plaintiff was also advised that unless she continued the sexual relationship with this commissioner, she would be terminated. After the commissioner learned of Plaintiff's relationship with another person, he demanded that Plaintiff cease her relationship with the third party, continue to have sex with him or risk being fired. Plaintiff continued under threat of losing her job to have a sexual relationship with the commissioner. She was constructively terminated thereafter.

Reason for Action by Defendant: No legitimate reason has been given by Defendant for the adverse action against and involving Plaintiff.

Reason for Filing Charge: Plaintiff files this her charge of discrimination due, in part, to the sexual harassment by her supervisor, due to defendant's inaction in the face of a known problem and due to her constructive termination. Plaintiff demands the full relief to which she is entitled under the applicable laws including without limitation attorney fees and costs.

I will advise the agency if I change my address or telephone number and I will cooperate fully with them in the processing of my charge in accordance with their procedures.

SIGNATURE OF COMPLAINANT DATE December 14, 2000

Ophelia Morris

NOTARY: (Required for filing)

Mary L. Toliver

SWORN TO AND SUBSCRIBED BEFORE ME

Mary L. Toliver  
My Commission CC962020  
Expires August 20, 2004

14th DAY OF December, 2000.

ATTORNEY OF RECORD:

## Document/Information Request

FCHR No. 2100735

1. What is the corporate legal name of your company or agency?
2. Describe your business operations or agency functions.

(If you have had less than 15 employees on your payroll in each of 12 or more calendar weeks in both the current and preceding calendar year, the complaint may be dismissed for lack of jurisdiction. If you claim less than 15 employees, you must submit copies of your payroll records, a sworn statement that you do not have interrelated operations with other entities, and copies of your most recent IRS Form 940 or 941 and LES Form UCT-6 and UCT-6W Forms. Do not proceed further if you have less than 15 employees for the current and preceding year.)

3. Submit a statement that thoroughly addresses your position regarding the events alleged by Complainant. Provide a direct response to each allegation as stated on the complaint. Include any additional information and explanation you consider relevant to the complaint.
4. Provide sworn statements or affidavits from the officials who were responsible for the actions taken which led to this complaint, explaining why they deemed the actions necessary. Send sworn statements from other individuals who can verify the facts in support of your position.
5. Provide copies of documents from official records in support of your position. Include copies of relevant personnel action forms and memoranda from the personnel files of Complainant and any comparatives.
6. Send copies of appropriate sections of written rules, policies and procedures or portions of policy manuals or employee handbooks which relate to the issues raised in the complaint. Provide an explanation for any unwritten policies or established practices which apply to the issues.
7. Give your total number of employees at the facility where Complainant was employed, with a breakdown by race (white, black, Hispanic, Asian, American Indian) and gender (male and female). Your latest EEO-1 report may be sent to meet this requirement. If this complaint is based on disability, send the total number of employees with known disabilities and omit race and gender.
8. If the complaint was based on a disability, pregnancy, or religion, indicate what efforts were made to accommodate the condition/basis. If no accommodation was made, please explain why.

NOTE: "Current year" means the calendar year during which the most recent personal harm occurred.

NOTE: You are invited to submit any proposal that might be considered for resolution of this complaint. This may be done now or at any time during the investigation of this complaint.



**EQUAL EMPLOYMENT OPPORTUNITY COMMISSION**

Herbert Theille, Esquire  
County Attorney  
County Of Leon, Florida  
301 South Monroe  
Leon County Courthouse  
Tallahassee, FL 32301

IN FILING CHARGE	
Morris, Ophelia	
THIS PERSON (check one)	
<input checked="" type="checkbox"/>	CLAIMS TO BE AGGRIEVED
<input type="checkbox"/>	IS FILING ON BEHALF OF ANOTHER
DATE OF ALLEGED VIOLATION	
Earliest	Most Recent
07/21/2000	07/21/2000
PLACE OF ALLEGED VIOLATION	
Tallahassee, FL	
EEOC CHARGE NUMBER	
15DA10137	
FEPA CHARGE NUMBER	
2100735	

**NOTICE OF CHARGE OF DISCRIMINATION** IN JURISDICTIONS WHERE A FEP AGENCY WILL INITIALLY PROCESS  
(See attached information sheet for additional information)

YOU ARE HEREBY NOTIFIED THAT A CHARGE OF EMPLOYMENT DISCRIMINATION UNDER

- ☒ Title VII of the Civil Rights Act of 1964
- ☐ The Age Discrimination in Employment Act of 1967 (ADEA)
- ☐ The Americans with Disabilities Act

HAS BEEN RECEIVED BY

- ☐ The EEOC and sent for initial processing to \_\_\_\_\_ (FEP Agency)
- ☒ The Fla. Commission On Human Relatio and sent to the EEOC for dual filing purposes.  
(FEP Agency)

While EEOC has jurisdiction (upon the expiration of any deferral requirement if this is a Title VII or ADA charge) to investigate this charge, EEOC may refrain from beginning an investigation and await the issuance of the Agency's final findings and orders. These final findings and orders will be given weight by EEOC in making its own determination as to whether or not reasonable cause exists to believe that the allegations made in the charge are true.

You are therefore encouraged to cooperate fully with the Agency. All facts and evidence provided by you to the Agency in the course of its proceedings will be considered by the Commission when it reviews the Agency's final findings and orders. In many instances the Commission will take no further action, thereby avoiding the necessity of an investigation by both the Agency and the Commission. This likelihood is increased by your active cooperation with the Agency.

- ☒ As a party to the charge, you may request that EEOC review the final decision and order of the above named Agency. For such a request to be honored, you must notify the Commission in writing within 15 days of your receipt of the Agency's final decision and order. If the Agency terminates its proceedings without issuing a final finding and order, you will be contacted further by the Commission. Regardless of whether the Agency or the Commission processes the charge, the Recordkeeping and Non-Retaliation provisions of Title VII and the ADEA as explained in the "EEOC Rules and Regulations" apply.

For further correspondence on this matter, please use the charge number(s) shown.

- ☐ An Equal Pay Act investigation (29 U.S.C. 206(d)) will be conducted by the Commission concurrently with the Agency's investigation of the charge.
- ☒ Enclosure: Copy of Charge

**BASIS OF DISCRIMINATION**

- ☐ RACE ☐ COLOR ☒ SEX ☐ RELIGION ☐ NAT. ORIGIN ☐ AGE ☐ DISABILITY ☐ RETALIATION ☐ OTHER

**CIRCUMSTANCES OF ALLEGED VIOLATION**

Constructive Discharge + Sexual Harassment

DATE 01/03/2001	TYPED NAME/TITLE OF AUTHORIZED EEOC OFFICIAL Federico Costales Director	SIGNATURE  33
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State of \_\_\_\_\_  
County of \_\_\_\_\_

**AFFIDAVIT TO AUTHENTICATE DOCUMENTS**

**1. TRUE AND CORRECT COPIES**

I ( We)

\_\_\_\_\_  
(Name(s) of custodian(s) of record(s))

\_\_\_\_\_  
(Title(s) of such person(s))

after being duly sworn, hereby attest that the attached documents are true and correct copies of the originals  
maintained by \_\_\_\_\_

\_\_\_\_\_  
(Name of Respondent or Entity Keeping Documents)

\_\_\_\_\_  
(Name of Section(s) or Division(s) Maintaining Record(s))

\_\_\_\_\_  
(Signature of Custodian(s))

Sworn and Subscribed before me on this

\_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_

\_\_\_\_\_  
Notary Public

My Commission expires: \_\_\_\_\_

**2. ACCURACY OF ORIGINAL DOCUMENTS**

I (We)

\_\_\_\_\_  
(Name(s) of persons generating documents or person(s) familiar with events reflected  
in documents)

\_\_\_\_\_  
(Title(s) of such person(s))

after being duly sworn hereby attest that the originals of the attached documents accurately reflect the events recorded on  
them.

\_\_\_\_\_  
(Signature of Originator(s))

Sworn to and Subscribed before me this

\_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_

\_\_\_\_\_  
Notary Public

My Commission Expires: \_\_\_\_\_

The Law Offices of  
**MOYLE  
FLANIGAN  
KATZ  
RAYMOND  
& SHEEHAN  
P.A.**

**THE PERKINS HOUSE  
118 NORTH GADSDEN STREET  
TALLAHASSEE, FLORIDA 32301**

**TELEPHONE (850) 681-3828  
FACSIMILE (850) 681-8788**

**WEST PALM  
BEACH OFFICE  
(561) 659-7500**

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**FAX TRANSMISSION COVER SHEET**

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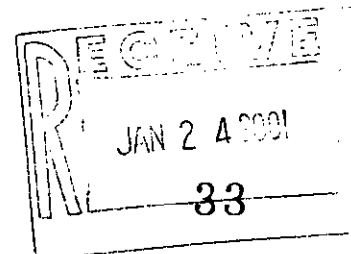
To: Rick Bateman  
Firm/Company:  
Fax Number: 561-6475  
  
Sender: Rpbert J. Sniffen  
  
Date: January 24, 2001  
  
File Name: Leon County  
File Number: 12/396/1

Per your request.

**TOTAL NUMBER OF PAGES: 7 (Including Cover Sheet)  
TELEPHONE NUMBER IN CASE OF TRANSMISSION ERROR: (850) 681-3828**

**PLEASE DELIVER IMMEDIATELY**

THE INFORMATION CONTAINED IN THIS TRANSMISSION IS ATTORNEY/CLIENT PRIVILEGED AND CONFIDENTIAL. IT IS INTENDED ONLY FOR THE USE OF THE INDIVIDUAL OR ENTITY NAMED ABOVE. IF THE READER OF THIS MESSAGE IS NOT THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT ANY DISSEMINATION, DISTRIBUTION OR COPY OF THIS COMMUNICATION IS STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THIS COMMUNICATION IN ERROR, PLEASE NOTIFY US IMMEDIATELY BY TELEPHONE COLLECT AND RETURN THE ORIGINAL MESSAGE TO US AT THE ABOVE ADDRESS VIA THE U.S. POSTAL SERVICE. WE WILL REIMBURSE YOU FOR EXPENSES. THANK YOU.



# FOLEY & LARDNER

BRUSSELS  
CHICAGO  
DENVER  
DETROIT  
JACKSONVILLE  
LOS ANGELES  
MADISON  
MILWAUKEE

ATTORNEYS AT LAW  
106 EAST COLLEGE AVENUE, SUITE 900  
TALLAHASSEE, FLORIDA 32301  
TELEPHONE: (850) 222-6100  
FACSIMILE: (850) 561-6475

ORLANDO  
SACRAMENTO  
SAN DIEGO  
SAN FRANCISCO  
TALLAHASSEE  
TAMPA  
WASHINGTON, D.C.  
WEST PALM BEACH

WRITER'S DIRECT LINE  
850-513-3379

EMAIL ADDRESS  
fbateman@foleylaw.com

CLIENT/MATTER NUMBER  
079779-0101

February 22, 2001

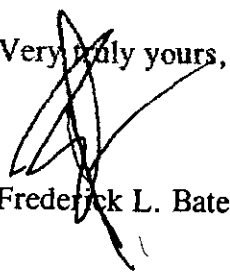
Cary Barr  
Bliss-McKnight  
2801 East Empire  
Bloomington, IL 61704

Re: Ophelia Morris v. Leon County  
Your File No. FAC2202

Dear Cary:

Please find enclosed Foley & Lardner's bill for representing Rudy Maloy in the above referenced action. I would appreciate you forwarding this payment at your earliest convenience.

Very truly yours,

  
Frederick L. Bateman, Jr.

Enclosure(s)

04 OCT 21 PM 1:32  
FEDERAL BUREAU OF INVESTIGATION  
U.S. DEPARTMENT OF JUSTICE

33

FOLEY & LARDNER  
ATTORNEYS AT LAW  
P.O. BOX 508  
TALLAHASSEE, FLORIDA 32302-0508  
FACSIMILE (850) 224-0496  
TELEPHONE (850) 222-6100

BLISS-MCKNIGHT  
ATTN: CARY BARR  
2801 EAST EMPIRE  
BLOOMINGTON, IL 61704

DATE: February 22, 2001  
INVOICE NO.: 22002391  
ACCOUNT NO.: 079779-0101  
AGREEMENT #FAC2202

Billing through  
February 22, 2001.

Amount due for professional services rendered regarding \$ 43,085.00  
MORRIS, OPHELIA V. LEON COUNTY

01/16/01	FLB	Work on file and investigation; Telephone conference with clients and various individuals.	4.50 at 275 /hr.=	1,237.50
01/16/01	MEKI	Office conference with Mr. Schreiber regarding evaluation of merits of claim.	0.30 at 200 /hr.=	60.00
01/17/01	FLB	Work on file and investigation; Telephone conference with clients and various individuals.	6.50 at 275 /hr.=	1,787.50
01/18/01	FLB	Work on file and investigation; Telephone conference with clients and various individuals.	4.50 at 275 /hr.=	1,237.50
01/18/01	MEKI	Office conference with Mr. Schreiber regarding strategic development of claim in preparation for Mr. Bateman's meeting with Comm'r Maloy.	0.40 at 200 /hr.=	80.00
01/18/01	PLT	Re: Rudy Maloy: Contact Newschannel 27 for copy of video of Maria Mattox interview and compile rules regarding conflict of interest.	1.50 at 75 /hr.=	112.50
01/19/01	FLB	Work on file and investigation; Telephone conference with clients and various individuals.	6.70 at 275 /hr.=	1,842.50
01/19/01	MEKI	Office conference with Mr. Bateman regarding strategic development of defense.	0.20 at 200 /hr.=	40.00
01/19/01	MEKI	Examine telefax enclosing 01.17.01 letter to county attorneys.	0.20 at 200 /hr.=	40.00

MALLOY, RUDY, COMMISSIONER  
ACCOUNT NUMBER: 079779-0101  
INVOICE NO. 22002391

February 22, 2001

Page 14 of 17

PAGE 2

01/19/01	PLT	Re: Rudy Maloy Complete request for copy of video and have hand delivered to Newschannel 27.	0.30 at 75 /hr.=	22.50
01/20/01	FLB	Work on file and investigation; Telephone conference with clients and various individuals.	2.10 at 275 /hr.=	577.50
01/21/01	FLB	Work on file and investigation; Telephone conference with clients and various individuals.	3.20 at 275 /hr.=	880.00
01/22/01	FLB	Work on file and investigation; Mediation settlement efforts.	9.50 at 275 /hr.=	2,612.50
01/22/01	FLB	Examine correspondence to H. Thiele and R. Sniffen from M. Mattox regarding retention of O. Morris.	1.20 at 275 /hr.=	330.00
01/23/01	FLB	Meeting with opposing counsel; Meeting with County counsel; Telephone conference with client; Work on file.	7.20 at 275 /hr.=	1,980.00
01/24/01	FLB	Work on file.	9.50 at 275 /hr.=	2,612.50
01/24/01	FLB	Examine Notice of Filing of Complaint of Discrimination	0.30 at 275 /hr.=	82.50
01/24/01	MEKI	Examine and analyze telefax from Mr. Sniffen and enclosed complaint of discrimination.	0.20 at 200 /hr.=	40.00
01/24/01	MEKI	Examine 01.24.01 correspondence to Herb Thiele.	0.10 at 200 /hr.=	20.00
01/25/01	FLB	Finalize correspondence to Herbert Thiele re Notification of F.A.C.T. of alleged claim; Examine correspondence from Herbert Thiele, Board of County Commissioners to Georgia Boyer, FL Association of Counties Trust re copy of determination of coverage on behalf of Ophelia Morris.	2.10 at 275 /hr.=	577.50
01/25/01	MEKI	Examine 01.25.01 telefax from Herb Thiele and enclosed correspondence to Bliss-McKnight.	0.10 at 200 /hr.=	20.00
01/25/01	PLT	Re: Rudy Maloy Sit in on telephone conferences with FACT and Ms. Marie Mattox, and update master file.	0.70 at 75 /hr.=	52.50
01/26/01	FLB	Work on file.	8.50 at 275 /hr.=	2,337.50
01/29/01	FLB	Work on file.	7.50 at 275 /hr.=	2,062.50
01/30/01	FLB	Work on file.	8.50 at 275 /hr.=	2,337.50
01/31/01	FLB	Examine facsimile to Linda DeLoach enclosing Charge of Discrimination; Finalize facsimile to D. Craig and R. Peeken regarding confidentiality provision.	6.20 at 275 /hr.=	1,705.00

02/01/01 FLB	Finalize memorandum to file regarding oral notice of claim made with Rudy Maloy's homeowner's insurance company	0.30 at 275 /hr.=	82.50
02/01/01 FLB	Work on file.	5.50 at 275 /hr.=	1,512.50
02/01/01 FLB	Work on Release language.	2.50 at 275 /hr.=	687.50
02/02/01 FLB	Work on settlement agreement this morning.	5.50 at 275 /hr.=	1,512.50
02/02/01 MEKI	Examine memorandum from Mr. Bateman regarding claim against Commissioner Maloy's homeowners carrier.	0.10 at 200 /hr.=	20.00
02/04/01 FLB	Work on settlement; telephone conference with M. Mattox.	4.90 at 275 /hr.=	1,347.50
02/05/01 FLB	Work on settlement; telephone conference with P. Remillard; telephone conference with C. Barr; telephone conference with S. Andrews; correspondence to C. Dennis; forward correspondence to C. Barr; telephone conference with M. Mattox; telephone conference with G. Yordon; telephone conference with R. Maloy; examine policy documents; telephone conference with Prudential representative.	5.50 at 275 /hr.=	1,512.50
02/05/01 FLB	Revise erisa statute.	1.10 at 275 /hr.=	302.50
02/05/01 FLB	Finalize facsimile to C. Dennis responding to his explanation regarding why Mr. Maloy was not involved in settlement negotiations	0.20 at 275 /hr.=	55.00
02/05/01 MEKI	Examine draft confidential settlement agreement.	0.30 at 200 /hr.=	60.00
02/05/01 MEKI	Examine 02.02.01 correspondence to Mr. Dennis demanding copy of settlement agreement between Leon County and Ms. Morris.	0.20 at 200 /hr.=	40.00
02/05/01 MEKI	Examine 02.05.01 correspondence from Mr. Dennis regarding settlement agreement.	0.10 at 200 /hr.=	20.00
02/06/01 MEKI	Examine 02.05.01 correspondence to Mr. Dennis regarding proposed settlement agreement.	0.20 at 200 /hr.=	40.00
02/06/01 PLT	Re: Maloy - Review correspondence to and from Mr. Craig Dennis.	0.20 at 75 /hr.=	15.00
02/07/01 MEKI	Examine 02.06.01 telefax from Cary Barr and enclosed draft settlement agreement.	0.30 at 200 /hr.=	60.00
02/08/01 FLB	Examine correspondence from Linda DeLoach at Prudential enclosing Homeowner's Policy.	0.20 at 275 /hr.=	55.00

February 22, 2001

02/12/01	FLB	Work on case; attend meeting with Marie Mattox, Paul Remillard, and Craig Dennis.	11.50 at 275 /hr.=	3,162.50
02/12/01	MEKI	Examine 02.08.01 correspondence from Herb Thiele to Mr. Bateman.	0.20 at 200 /hr.=	40.00
02/13/01	FLB	Meeting with Maloy yesterday; work on file; attend county commission meeting; work on settlement.	11.50 at 275 /hr.=	3,162.50
02/13/01	FLB	Revise and finalize facsimile to M. Mattox enclosing proposed settlement agreement.	2.10 at 275 /hr.=	577.50
02/13/01	MEKI	Examine and analyze client's homeowners' policy to determine coverage.	0.40 at 200 /hr.=	80.00
02/14/01	FLB	Examine article from the Tallahassee Democrat entitled "Maloy puts down county gavel"; examine inter-office memorandum from Herb Thiele to County Commissioners regarding claim made by Denise Williams; work on settlement; interview witnesses.	6.50 at 275 /hr.=	1,787.50
02/14/01	MEKI	Examine 02.14.01 memorandum from Herb Thiele to the Commission regarding claimant's recantation of allegations.	0.20 at 200 /hr.=	40.00
02/14/01	PLT	Obtain copies of memoranda and correspondence disseminated at Leon County Commission meeting on February 13, 2001.	0.30 at 75 /hr.=	22.50
02/15/01	FLB	Work on file.	2.50 at 275 /hr.=	687.50
02/15/01	FLB	Examine article from Tallahassee Democrat entitled "Commissioner not told of Complaint."	0.20 at 275 /hr.=	55.00
02/15/01	MEKI	Examine and analyze Tallahassee Democrat coverage of retraction of allegation against Commissioner Thael.	0.30 at 200 /hr.=	60.00
02/16/01	FLB	Finalize correspondence to H. Thiele regarding D. Williams claim of sexual harassment.	0.40 at 275 /hr.=	110.00
02/16/01	MEKI	Examine 02.16.01 correspondence to Herb Thiele.	0.20 at 200 /hr.=	40.00
02/19/01	FLB	Work on settlement.	1.90 at 275 /hr.=	522.50
02/20/01	FLB	Work on settlement.	0.70 at 275 /hr.=	192.50
02/21/01	JKRO	Begin review and transcription of portions of the eight hours of audio tapes from county commission meeting on February 13, 2001 relative to this matter.	6.60 at 75 /hr.=	495.00



MALLOY, RUDY, COMMISSIONER  
ACCOUNT NUMBER: 079779-0101  
INVOICE NO. 22002391

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02/21/01 MEKI Examine 02.20.01 Tallahassee 0.20 at 200 /hr.= 40.00  
Democrat article regarding  
County Commission.

TOTALS: 164.80 \$ 43,085.00

ATTORNEY/PARALEGAL	INIT	TITLE	HOURS	RATE	DOLLARS
Frederick L. Bateman	FLB	Partner	151.00	275	41,525.00
Jane K. Ross	JKRO	Paralegal	6.60	75	495.00
Michael E. Kinney	MEKI	Senior Counse	4.20	200	840.00
Patricia L. Tassinari	PLT	Other	3.00	75	225.00
TOTALS:			164.80	\$	43,085.00

\$ 43,085.00  
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Please Reference Your Account Number 079779-0101 And Your  
Invoice Number 22002391 With Your Remittance Payable To FOLEY & LARDNER.

Foley & Lardner Federal Employer Number: 39-0473800